

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

mini, Emilio A. et al.

Serial No.

10/507.237

Filed: September 9, 2004

For: METHOD OF INDUCING AN ENHANCED IMMUNE

RESPONSE AGAINST HIV

| Art Unit: | <u>1648</u> | . | |
|-----------|-------------|---------------|--|
| Examiner: | • | | |

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR 1.97**

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

Date March 27, 2006



INFORMATION DISCLOSURE STATEMENT

C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited

elated application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120

are

| | RELATED APPLICATION | | |
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| U. S. SERIAL NUMBER | FILING DATE | MERCK CASE | |
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| his is inconvenient, additional copies will be submitted upon requ | uest. | | |
| 6. In accordance with 37 C.F.R. 1.97, (check one) | | | |
| the attached information is filed within three months of the filing | date of the captioned case. | | |
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| Office Action on the merits. | ie ming date but prior to the | maining of a mot | |
| the attached information is filed before the mailing of a first Office examination under §1.114. | ce action after the filing of a | request for continue | |
| the attached information is being filed more than three months a Office Action on the merits, but before the mailing date of a Fina otherwise closes prosecution in the application. The enclosed a Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(| al Action, Notice of Allowanc authorization is therefore giv | e, or an action that | |
| each item of information contained in this Information Disclosure from a foreign patent office in a counterpart foreign application statement. | | | |
| each item of information contained in the information disclosure from a foreign patent office in a counterpart application and this designated in §1.56(c) more than thirty days prior to the filing of | s communication was not red | eived by any individ | |
| no item of information contained in this Information Disclosure S foreign patent office in a counterpart foreign application, and, to after making reasonable inquiry, was known to any individual demonths prior to the filing of this Statement. | the knowledge of the perso | n signing the certific | |
| | Respectfully submitted, | | |
| | By: Anna L. Cocuzzo | | |
| | | plicant(s) | |
| | Reg. No. <u>42,452</u> | | |
| | MERCK & CO., INC. Patent Dept., RY60-30 | | |
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| Substitute for form 1449B/PTO | Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE COMPLETE IF KNOWN | | | |
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| INFORMATION DISCLOSURE | Application Number | 10/507,237 | | |
| STATEMENT BY APPLICANT | Filing Date | September 9, 2004 | | |
| STATELINE THE APPLICANT | First Named Inventor | Emini, Emilio A. et al. | | |
| MAR 2 9 2006 W | Group Art Unit | 1648 | | |
| hise as many sneets as necessary) | Examiner Name | | | |
| Sheet of 1 | Attorney Docket Number | 21051YP | | |

| NON PATENT LITERATURE DOCUMENTS | | | | | |
|---------------------------------|-------------|---|--|--|--|
| Examiner Initials* | Cite No. | Include name of the author, title, date, page(s), volume-issue number(s) and place of publication. | | | |
| minais | 140. | Pinto, A. et al. "Induction of CD8+ T Cells to an HIV-1 Antigen through a Prime Boost Regimen with Heterologous E1-Deleted Adenoviral Vaccine Carriers", The Journal of Immunology, 2003, Vol. 171, pp. 6774-6779 | | | |
| | | Moffatt, S. et al. "Circumvention of Vector-Specific Neutralizing Antibody Response by Alternating Use of Human and Non-Human Adenoviruses: Implications in Gene Therapy", Virology, 2000, Vol. 272, pp. 159-167 | | | |
| | | Ramshaw, I. et al. "The prime-boost strategy: exciting prospects for improved vaccination", Trends Immunology Today, 2000, Vol. 21, pp. 163-165 | | | |
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| Examiner Signature | | Date Considered | |
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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